

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

**UNITED STATES OF AMERICA**

**v.**

**HANA AMAL BESHARA**

**Defendant**

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**Case No: 1:11-CR-447-001  
Hon. Anthony J. Trenga**

**EMERGENCY MOTION TO PERMIT REPORTING BY TELEPHONE PENDING  
DETERMINATION OF TERMS AND LOCATION OF  
SUPERVISED RELEASE SUPERVISION**

COMES NOW, the Defendant, HANA AMAL BESHARA, by and through counsel, and moves this Honorable Court to permit her to report to the United States Probation Office for the Eastern District of Virginia by telephone pending resolution of a determination of the terms of her supervised release supervision.

On September 29, 2011, Ms. Beshara pled guilty before this Court to two counts relating to copyright infringement. On January 20, 2012, she was sentenced to a fourteen (14) month term of incarceration, to be followed by two (2) years of supervised release. She has served the period of incarceration and is scheduled to be released from a halfway house today.

Ms. Beshara currently lives with her parents in New Jersey. She has no money and no resources with which to provide any other living arrangements for herself. She was very recently contacted by Probation Officer Elizabeth Villa in the District of New Jersey who requested that she sign a waiver modifying her conditions to include computer monitoring. When Ms. Beshara asked for details regarding specifically what she would be agreeing to (*i.e.*, what specifically the

new condition would be), those details were not provided. Instead, she was advised that New Jersey was denying her request for supervision by that office based on her refusal to sign the waiver. Ms. Beshara was further advised today that she would have to report to Alexandria in person this coming Tuesday, September 3, 2013 (the next business day after today) and reside in the Alexandria area even if this meant she would have to live in a homeless shelter. And she will, in fact, be forced into a homeless shelter since she has no other place to live in this area, and no means to provide herself with one. In addition, she is scheduled to start a college class on Tuesday at the Garden State Science and Technical Institute for new job training. Travel to the area on Tuesday will prevent her from attending this class. She is also currently employed in New Jersey earning \$150 per week in telemarketing.

Undersigned counsel has spoken to Supervisory United States Probation Officer Joanne Marden about the possibility of having Ms. Beshara supervised in Virginia while she continues to reside with her parents in New Jersey. Furthermore, counsel has been advised that the New Jersey probation officers have visited Ms. Beshara's parents' home and found it to be acceptable. Probation Officer Marden has advised that she will assist in this matter regarding supervision in New Jersey. Ms. Marden further advised that the arrangement of having Ms. Beshara live in New Jersey while being supervised by the Alexandria Probation Office would be possible, but only if it was ordered by this Court.

In addition, it is very likely that New Jersey will accept supervision over Ms. Beshara since she has now signed the computer monitoring waiver. A copy of the waiver form is attached as Exhibit A. It is worth emphasizing that she had not asserted that she would not agree to a new condition of computer monitoring, she merely wanted to know what, specifically, the new

condition entailed. She did not want to agree to an unknowing waiver and should not be expected to, particularly considering the First Amendment rights potentially at issue. Finally, it is worth noting that law enforcement is already continuously monitoring Ms. Beshara's computer usage with respect to her online postings.

Counsel has attempted to reach the United States, through Assistant United States Attorney Jay V. Prabu, regarding this motion.

WHEREFORE, Defendant Hana Amal Beshara respectfully moves this Court for an Order permitting her to report to Alexandria by telephone pending the determination of the location and terms of her supervised release supervision.

Respectfully Submitted,

HANA AMAL BESHARA  
By Counsel

\_\_\_\_\_/s/\_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of August 2013, a true and accurate copy of the foregoing was electronically filed and served via the Court's CM/ECF system to all counsel of record.

\_\_\_\_\_/s/\_\_\_\_\_  
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